

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge Bruce M. Selya
United States Court of Appeals
First Circuit

Judge Julia Smith Gibbons
United States Court of Appeals
Sixth Circuit

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
Fax: [202] 502-2888

<http://www.jpml.uscourts.gov>

June 4, 2003

Tony Anastas, Clerk
2300 John Joseph Moakley U.S. Courthouse
One Courthouse Way
Boston, MA 02210-3002

FILED
Clerk's Office
USDC, Mass.
Date 6-9-03
By [Signature]
Deputy Clerk

01-cv-12257-PBS

Re: MDL-1456 -- In re Pharmaceutical Industry Average Wholesale Price Litigation

The People of the State of New York, etc. v. Aventis Pharmaceuticals, Inc.,
N.D. New York, C.A. No. 1:03-305

Dear Mr. Anastas:

I am enclosing one certified and additional copies of a conditional transfer order filed by the Panel in the above-captioned action on May 19, 2003. Section 1407 requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred." As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer if they wish to do so. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

A list of involved counsel is attached.

Very truly,

Michael J. Beck
Clerk of the Panel

By Teresa Bishop
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Patti B. Saris
Transferor Judge: Judge Norman A. Mordue
Transferor Clerk: Lawrence K. Baerman

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

MAY 19 2003

DOCKET NO. 1456

FILED
CLERK'S OFFICE

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE
LITIGATION
(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-11)

On April 30, 2002, the Panel transferred 16 civil actions to the United States District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 19 additional actions have been transferred to the District of Massachusetts. With the consent of that court, all such actions have been assigned to the Honorable Patti B. Saris.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the District of Massachusetts and assigned to Judge Saris.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Massachusetts for the reasons stated in the order of April 30, 2002, 201 F.Supp.2d 1378 (J.P.M.L. 2002), and, with the consent of that court, assigned to the Honorable Patti B. Saris.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Massachusetts. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.

JUN 4 2003

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SCHEDULE CTO-11 - TAG ALONG CASES
DOCKET NO. 1456

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION

DISTRICT DIV. CIVIL ACTION#

CONNECTICUT

CT	3	03-553	State of Connecticut v. Glaxosmithkline PLC, et al.	Opposed 6/3/03
CT	3	03-554	State of Connecticut v. Pharmacia Corp.	Opposed 6/3/03
CT	3	03-557	State of Connecticut v. Aventis Pharmaceuticals, Inc.	Opposed 6/3/03
CT	3	03-572	State of Connecticut v. Dey Inc., et al.	Opposed 6/3/03

NEW YORK NORTHERN

NYN	1	03-305	The People of the State of New York, etc. v. Aventis Pharmaceuticals, Inc.
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INVOLVED COUNSEL LIST (CTO-11)
DOCKET NO. 1456
IN RE PHARMACEUTICAL AVERAGE WHOLESALE PRICE LITIGATION

Richard Blumenthal
Attorney General's Office
55 Elm Street
P.O. Box 120
Hartford, CT 06141-0120

William H. Bright, Jr.
Cummings & Lockwood
Cityplace I, 36th Floor
185 Asylum St.
Hartford, CT 06103-3495

Katherine A. Burroughs
Dechert, Price & Rhoads
90 State House Square
Hartford, CT 06103

Paul J. Coval
Vorys, Sater, Seymour & Pease
52 E. Gay Street
P.O. Box 1008
Columbus, OH 42316-1008

Garry Desjardins
Attorney General Office
Anti-Trust, Consumer Protection
Mackenzie Hall
110 Sherman Street
Hartford, CT 06105

John C. Dodds
Morgan, Lewis & Bockius, LLP
1701 Market Street
Philadelphia, PA 19103-2921

Rose E. Firestein
Office Of The Attorney General
Assistant Attorney General
Bureau of Consumer Frauds and Protection
120 Broadway, 3rd Floor
New York, NY 10271

Andrew P. Gaillard
Day, Berry & Howard, LLP
One Canterbury Green
Stamford, CT 06901

Jack D. Garamella
Collins, Hannafin, Garamella, et al.
148 Deer Hill Avenue
P.O. Box 440
Danbury, CT 06810

Robert M. Langer
Wiggins & Dana
One Cityplace
185 Asylum Street
Hartford, CT 06103

Frank H. Santoro
Danaher, Tedford, Lagnese & Neal, P.C.
700 Capitol Place
21 Oak Street
Suite 700
Hartford, CT 06106-8000

Stephen L. Saxl
Greenberg Traurig
200 Park Avenue
New York, NY 10166

Scott A. Stempel
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Avenue, N.W.
Washington, DC 20004

Robert B. Teitelman
Attorney General's Office Environmental Dept.
55 Elm Street
P.O. Box 120
Hartford, CT 06141-0120